

REMARKS

Claims 1-27 were pending in the application.

In the Office Action of March 7, 2005, the Examiner rejected claims 1, 2, 6-13, 15, 16, 20-24, 26, and 27 under 35 U.S.C. Sec. 102(b) as anticipated by USP 5,629,980 (Stefik et al.). Claims 3-5, 14, 17-19 and 25 were rejected under 35 U.S.C. Sec. 103 as unpatentable over Stefik et al.

In response, independent claims 1 and 15 have been amended to clarify same. Claims 26 and 27 have been cancelled out of expedience, and without prejudice to pursuing same in a continuation.

Each of independent claims 1 and 15 requires the creation of a "usage log" by a user device which is configured to use the content. The "usage log" is then used in the fee collection transactions. With such a log, it is possible to assess and collect fees based on usage on an on-going basis.

Additionally, each of claims 1 and 15 requires that a clearing center generate and then transmit to a user device an issue log with issue information indicating an allowable amount of electronic money, which allowable amount of electronic money is based on a usage control policy. The user device spends the electronic money up to the maximum amount allowed by the issue log. The user device logs depletion of the electronic money in the "usage log."

Moreover, the user device does not send the "usage log" directly to the clearing center as their interactions need only relate to the issuance of the issue log and the electronic money prior to the content obtaining transaction performed by the user device. The distribution and use of content are thus restricted by the allowed maximum amount of electronic money as determined by the "usage control policy of the content."

Stefik et al discloses a system for controlling the distribution of content. However, in Stefik et al, the digital rights are permanently "attached" to the content to define the manner and

amount of usage of the content (See Stefik, Col. 6, Lines 51-56). Stefik et al. nowhere fairly discloses or suggests a way to control the amount of money spent by a user, or the maximum amount of money spent by the user.

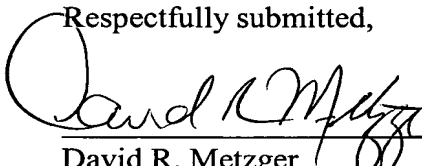
In that regard, Stefik nowhere fairly teaches or discloses the creation of an issue log with an allowable spending limit set by the clearing center based on a usage control policy. This spending limit is not the total amount of money available, but rather a spending limit related to the content in question.

At Col. 7, lines 33-37, cited by the examiner, Stefik et al. describes how in step 108 (See Figure 1) both the user device (Repository 2) and the content provider (Repository 1) interact with the credit server at the same time to confirm billing parameters. This is nothing like the usage/money control recited in the claims.

The examiner's comments have been carefully taken into consideration, but nowhere is the presently claimed invention shown to be fairly taught or suggested.

In view of the foregoing, it is submitted that claims 1-27 are not anticipated by or obvious in view of Stefik et al and are patentable. It is therefore submitted that the application is in condition for allowance. Notice to that effect is respectfully requested.

Respectfully submitted,

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David R. Metzger
SONNENSCHN, NATH & ROSENTHAL LLP
P.O. Box #061080
Wacker Drive Station - Sears Tower
Chicago, IL 60606-1080
Telephone 312/876-8000
Customer #26263
Attorneys for Applicant(s)